

1	
2	
3	
4	
5	
6	
7	UNITED STATES DISTRICT COURT
8	WESTERN DISTRICT OF WASHINGTON
	AT SEATTLE
9	
10	SRC LABS, LLC, et al.,
11	Plaintiffs,
12	v.
13	MICROSOFT CORPORATION,
14	Defendant.

CASE NO. C18-0321JLR

ORDER DENYING MOTION TO  
WITHDRAW

Before the court is Plaintiffs SRC Labs, LLC and Saint Regis Mohawk Tribe's (collectively, "Plaintiffs") motion for an order permitting attorney Karin B. Swope to withdraw her appearance as their counsel of record. (Mot. (Dkt. # 162).) Plaintiffs represent that Ms. Swope left Keller Rohrback LLP effective January 29, 2021, and that Ryan McDevitt of Keller Rohrback LLP and Michael W. Shore, Alfonso G. Chan, Christopher Evans, Ari B. Rafilson, and Paul T. Becker of Shore Chan Depumpo LLP will continue to represent them after Ms. Swope's withdrawal. (*Id.* at 1.) No party has

1 opposed Plaintiffs' motion for leave for Ms. Swope to withdraw as counsel. (*See*  
2 *generally* Dkt.)

3 Attorney withdrawal is governed by Local Rules W.D. Wash. LCR 83.2(b).

4 Where, as here, a party is represented by multiple attorneys from the same or different  
5 firms and an attorney wishes to withdraw but will not leave the client without  
6 representation, leave of the court to withdraw is not required. *Id.* LCR 83.2(b)(3).

7 Instead, the withdrawing attorney "shall file a Notice of Withdrawal, which shall include  
8 a statement that the client remains represented and identifies the remaining attorneys."

9 *Id.* The notice "shall be signed by the withdrawing attorneys and the remaining  
10 attorney(s) of record to confirm that fact." *Id.* A motion to withdraw, if filed, must be  
11 noted in accordance with Local Rule 7(d)(3) and must include "a certification that the  
12 motion was served on the client and opposing counsel." *Id.* LCR 83.2(b)(1).

13 Here, Plaintiffs have complied with neither LCR 83.2(b)(1) nor LCR 83.2(b)(3).

14 First, the motion to withdraw was not noted for the third Friday after filing and service of  
15 the motion under Local Rule 7(d)(3) and does not include a certification that the motion  
16 was served on the client as required by Local Rule 83.2(b)(1). Second, even if the court  
17 were to construe Plaintiffs' filing as a notice of withdrawal under Local Rule 83.2(b)(3),  
18 the filing does not meet that rule's requirement that the notice be signed by both the  
19 withdrawing attorney and the remaining attorneys of record.

20 //

21 //

22 //

1 Therefore, the court DENIES Plaintiffs' motion (Dkt. # 162) to allow Ms. Swope  
2 to withdraw as attorney of record without prejudice to Plaintiffs filing a notice of  
3 withdrawal that complies with the requirements of Local Rule 83.2(b)(3).

4 Dated this 1st day of February, 2021.

5   
6

7 JAMES L. ROBART  
8 United States District Judge  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22